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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,793	05/04/2001	Henrik Sundstrom	29206-00037	7889
7590	12/22/2003		EXAMINER	
Stanley R. Moore, Esq. JENKENS & GILCHRIST, P.C. 1445 Ross Avenue, Suite 3200 Dallas, TX 75202-2799			ORGAD, EDAN	
			ART UNIT	PAPER NUMBER
			2684	
DATE MAILED: 12/22/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/848,793	SUNDSTROM, HENRIK
	Examiner Edan Orgad	Art Unit 2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 May 2001.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> . | 6) <input type="checkbox"/> Other: _____                                     |

## **DETAILED ACTION**

### ***Drawings***

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to because in figures 1 and 2, it is not clear where elements 5 and 6 are represented. The darkened areas are very similar which make it difficult to distinguish between the elements. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6-9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Blum et al (US 5,805,164).

Regarding claims 1, 6 and 8, Blum teaches accessing information represented by an image on a graphical display of a portable electronic device (see abstract), the method comprising: displaying at least part of the image on a display of the device, the image including indicators representing respective items defined by a user of the device (col. 6, lines 20-24); assigning respective labels to the indicators included in the image (col. 6, line 25); displaying the labels on the image with the respective indicators; receiving an input symbol from a user of the device (col. 6, lines 26-29); comparing the input symbol with the labels displayed on the image; and if the input symbol matches a label displayed on the image, retrieving information relating to the item represented by the indicator to which the label is assigned, and displaying the retrieved event information on the display device of the portable electronic device (col. 6 ,lines 30-49).

Regarding claims 2, 7 and 9, Blum teaches the image is a calendar image and the indicators relate to events (col. 3, line 19).

Regarding claims 4 and 11, Blum teaches the symbol is input by the user via a keypad of the device (element 41).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blum et al (US 5,805,164).

Regarding claims 3 and 10, Blum fails to specifically disclose the symbol is input via a voice signal. However, official notice is taken that inputting a symbol via a voice signal is well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include symbol-inputting means via a voice signal with Blum's invention in order to allow the user to have a hands free capabilities.

Regarding claims 5 and 12, Blum fails to specifically disclose the portable electronic device is a mobile telephone. However, official notice is taken, that it is notoriously it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a mobile phone as Blum's portable electronic device in order to allow the user to perform phone calls.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,642,945, Method and system for optimizing a visual display for handheld computer systems.

US 6,574,471, Apparatus and method for handling incoming calls received by a portable intelligent communications device during a meeting.

US 6,449,498 Method and system for dynamically updating a banner for a communication device.

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US 6,418,309, Apparatus and method for configuring settings of a portable intelligent communications device during a meeting.

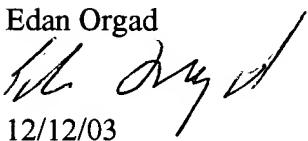
US 5,923,327, Scrolling with automatic compression and expansion

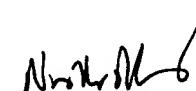
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Edan Orgad

  
12/12/03

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER